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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUTHER PETERSON, JR.,

Petitioner,

No. 2:11-cv-1168 KJN P

vs.

PEOPLE OF THE STATE OF
CALIFORNIA,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner proceeding without counsel, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis.

The application attacks a conviction issued by the Superior Court of San Francisco. While both this Court and the United States District Court in the district where petitioner was convicted have jurisdiction, see Braden v. 30th Judicial Circuit Court, 410 U.S. 484 (1973), any and all witnesses and evidence necessary for the resolution of petitioner’s application are more readily available in San Francisco County. Id. at 499 n.15; 28 U.S.C. § 2241(d).

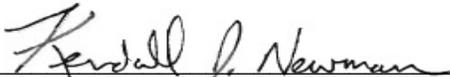
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1 Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that:

2 1. This court has not ruled on petitioner’s application to proceed in forma
3 pauperis; and

4 2. This matter is transferred to the United States District Court for the Northern
5 District of California.

6 DATED: May 9, 2011

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9 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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